

Notice of Allowability

Application No.

09/637,728

Examiner

Frantzy Poinvil

Applicant(s)

JENNIGES ET AL.

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.


1. ☒ This communication is responsive to the RCE filed 1/04/06.
2. ☒ The allowed claim(s) is/are 1,4-7,10,13,16 and 19-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1/4/2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


FRANTZY POINVIL
PRIMARY EXAMINER
ALL 3628

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

Applicant's submission filed on 1/04/2006 has been entered.

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

The prior art taken alone or in combination failed to teach or suggest an auction server converting a bid value to a display value having a program incentive reward media type of an incentive reward program associated with a participant of a plurality of participants wherein the participant is associated with one of a plurality of incentive reward programs as recited in independent claim 1.

The prior art taken alone or in combination failed to teach or suggest calculating a display amount in the program incentive reward media type by converting the bid data from one of a plurality of participants to the program incentive reward media type wherein the plurality of participants includes at least two participants from different incentive reward programs as recited in independent claim 7.

The prior art taken alone or in combination failed to teach or suggest calculating a second bid amount by converting a first bid amount from one of a plurality of participants in the program incentive reward media type to the item media type wherein the plurality of participants include at least two participants from different incentive reward programs as recited in independent claim 10.

The prior art taken alone or in combination failed to teach or suggest calculating a display amount in the program incentive reward media type by converting the bid data from one of a plurality of participants value to the program incentive reward media type and wherein the plurality of participants include at least two participants from different incentive reward programs as recited in independent claim 13.

The prior art taken alone or in combination failed to teach or suggest calculating a second bid amount from one of plurality of participants by converting a first bid amount in the program incentive reward media type to the item media type wherein the plurality of participants include at least two participants from different incentive reward programs as recited in independent claim 16.

Copple et al disclose a method of redeeming collectible promotional points for promotional items through an auction by using those collected points to bid on those items. The primary example of collectible points given by Copple et al is the use of coupons removed from merchandise after purchase.

Crusin et al (WO 92/15174) teach the use of different currencies in an auction system.

The prior art taken alone or in combination failed to teach or suggest the above noted features as recited in independent claims 1, 7, 10, 13 and 16.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Frantzy Poinvil
Primary Examiner
Art Unit 3628